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8 UNITED STATES DISTRICT COURT  
9 CENTRAL DISTRICT OF CALIFORNIA  
10 WESTERN DIVISION

11	CENOBIO H. HERRERA, SR.,	}	Case No. 2:22-cv-07784-RSWL-JDE
12	Petitioner,		
13	v.		ORDER ACCEPTING REPORT
14	BRIAN BIRKHOLZ, Warden, et al.,		AND RECOMMENDATION OF
15	Respondents.		UNITED STATES MAGISTRATE JUDGE

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17 Pursuant to 28 U.S.C. § 636, the Court has reviewed the records on file,  
18 including Petitioner's Emergency Motion Seeking Immediate Release and  
19 Termination of Sentence Under 28 U.S.C. § 2241 (Dkt. 1 "Petition") and the  
20 Report and Recommendation of the United States Magistrate Judge filed on  
21 December 1, 2022 (Dkt. 10, "Report"). Petitioner did not timely file any  
22 objection to the Report or seek additional time in which to do so. The Court  
23 accordingly accepts the findings and recommendation of the Magistrate Judge.

24 IT IS THEREFORE ORDERED that Judgment shall be entered  
25 dismissing this action without prejudice.

26 Dated: January 18, 2023

27 /S/ RONALD S.W. LEW  
RONALD S. W. LEW  
28 United States District Judge